

**PATENT****ATTORNEY DOCKET NO.: ELX-84****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of
PETER BISHOP, et al

Examiner: Lee Nguyen

Serial No.: 09/728,578

Art Unit: 2682

Filing Date: November 30, 2000

For: ELECTRONIC DEVICE
WITH CARD READER
AND CONNECTOR
ASSEMBLY

Declaration of David Rippington Pursuant to 37 C.F.R. § 1.131

I, the undersigned David Rippington, do hereby declare as follows:

I, along with Peter Bishop, are the inventors of the invention claimed in the above-captioned application. We both live and reside in England, and the activities by us described below occurred in England, while the activities by our patent attorneys on our behalf described below occurred in the United States.

I understand that the German reference Lu (DE 200 09 217), with a publication date of September 28, 2000, is currently being cited against claims 1, 10, 12, 13, 15, 16, 21-23, 25, 26, 28, and 29 of the above-captioned application.

I further understand that the German reference Tu (DE 200 13 259), with a publication date of November 9, 2000, is currently being cited against pending claims 10, 21-23, and 27 of the above-captioned application.

The above-encaptioned application has an effective filing date of November 30, 2000, and, thus, I understand that the Examiner of the United States Patent and Trademark Office has asserted the Lu and Tu references as qualifying on their faces as prior art under 35 U.S.C. § 102(a).

I hereby declare, however, that I and Peter Bishop conceived the invention currently being claimed in the referenced claims in the present application prior to September 28, 2000. Further, we were diligent from at least September 27, 2000 until the above-encaptioned application was filed on November 30, 2000. Specifically, and as will be described in greater factual detail hereinbelow and with reference to the attached exhibits, the means by which our claimed invention provides a new and useful solution were comprehended in detail prior to such dates, and the above-encaptioned application was diligently prepared and filed.

For instance, attached as Exhibit A to this Declaration is a drawing, dated May 24, 2000, showing aspects of one embodiment of the claimed invention. Likewise, attached as Exhibit B is another drawing, dated July 6, 2000, showing different such aspects. Furthermore, the attached Exhibits C through F, dated June 7, 2000, show three-dimensional renderings of aspects and/or components of the claimed invention. Disclosure of this invention to our patent attorneys was provided, in part, at least as early as July 6, 2000, in part by means of the information contained in the attached Exhibit G.

On behalf of Peter Bishop and me, our patent attorneys Dority & Manning issued the attached Exhibit H letter to entities in England, requesting assistance in obtaining a patent filing license from the United Kingdom for the invention

disclosed in the above application. In response thereto, my patent attorneys on behalf of me and Peter Bishop received the attached Exhibit I letter dated August 3, 2000, requesting further information from the English entities to enable them to request a foreign filing license. As shown in the attached Exhibit J, the foreign filing license was provided, both by facsimile and by mail, by means of letter dated August 9, 2000. As shown in the second page of the attached Exhibit J, the paper copy of the permit to file abroad was received by my patent attorneys on August 17, 2000.

From the foregoing dates until the date of the filing of the above-encaptioned application, Peter Bishop and/or I worked with our patent attorneys in preparing the application, gathering the necessary drawings, evaluating the state of the art, and so forth. For example, as shown in the attached Exhibit K, a print of email communications on August 14, 2000, additional information was gathered regarding general technical information, specific marketing and technical literature, and drawings. As another example, an email communication from my patent attorneys to Peter Bishop was made on August 30, 2000 at 3:21 p.m. EDT concerning preparation of the application in view of the state of the art. A copy of a print of such email is not being provided herewith, in order to preserve the attorney/client privilege regarding other matters discussed in that email.

After consideration of the foregoing facts, an initial preparation of the above-encaptioned application was transmitted by our patent attorneys to Peter Bishop and me on September 22, 2000, by means of the enclosed Exhibit L.

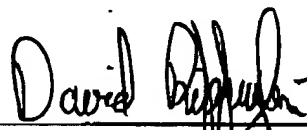
After detailed study of our attorneys' prepared draft of the patent application, the enclosed Exhibit M communication dated October 18, 2000 was made in return, requesting certain changes and commenting upon the draft patent application.

From October 18, 2000 until November 30, 2000, I and Peter Bishop and our patent attorneys on our behalfs worked in finalizing the application, finalizing the appended drawings, and in authorizing our attorneys to file the application on November 30, 2000.

In view of the above, I respectfully request that the '217 and '259 references be withdrawn as asserted prior art.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements by jeopardize the validity of the above-encaptioned application or any patent issuing thereon.

Date: 8th September 2003


David Rippington

Release No.
History
101055

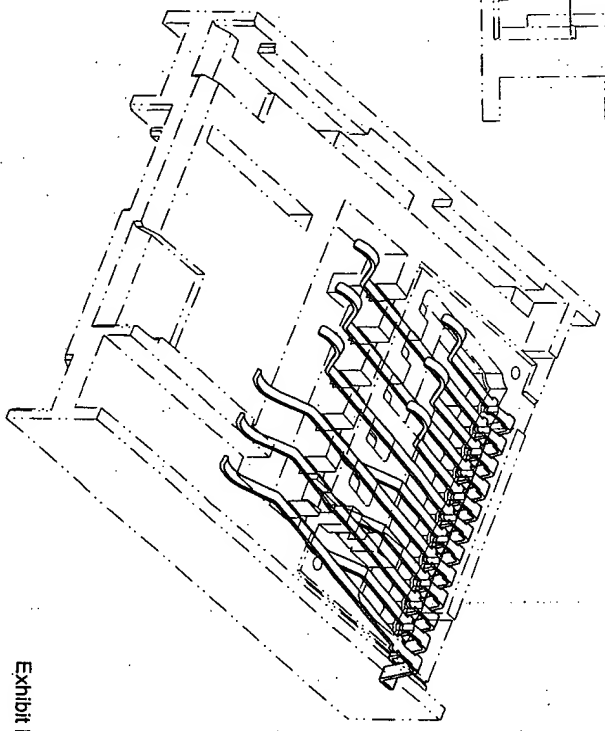
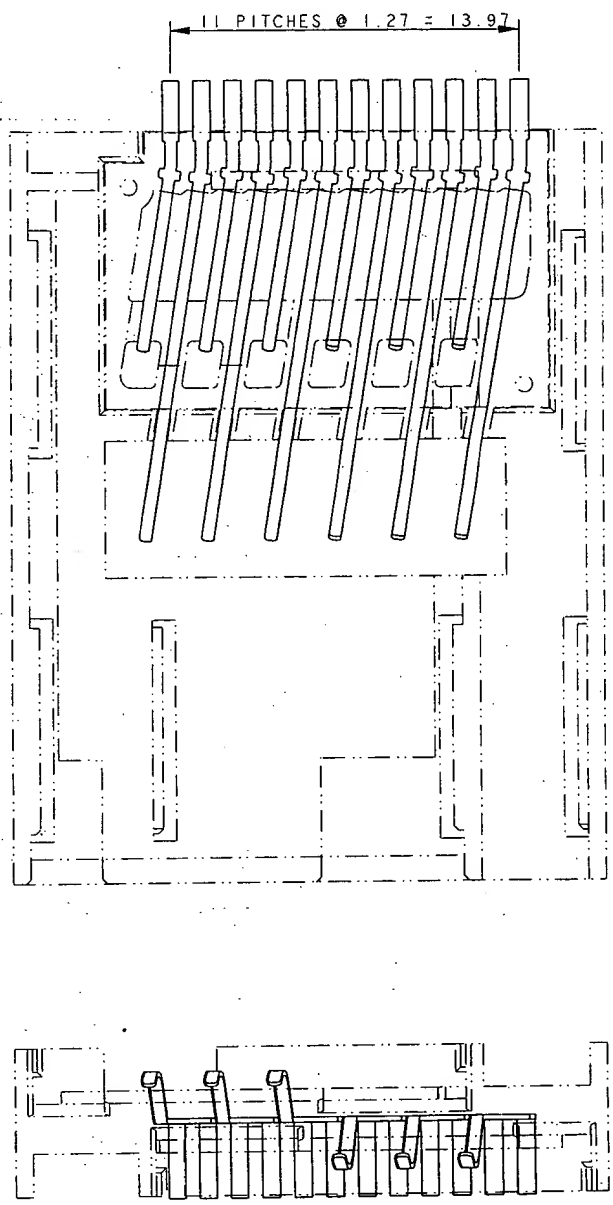
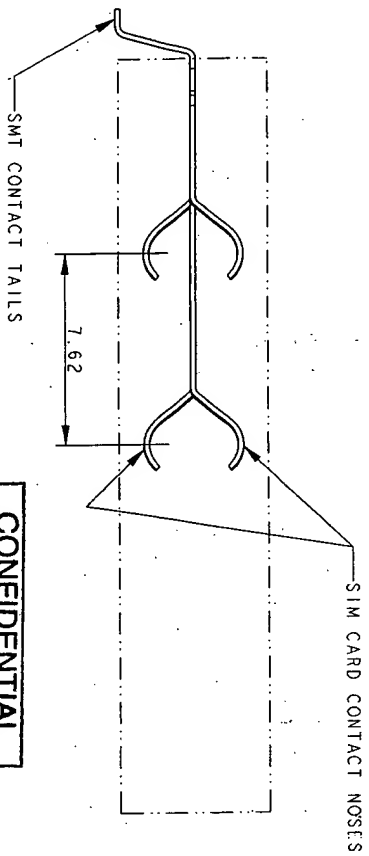


Exhibit B

CONFIDENTIAL
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06 JUL 2080

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3rd ANGLE
ALL DIMENSIONS
IN MILLIMETRES

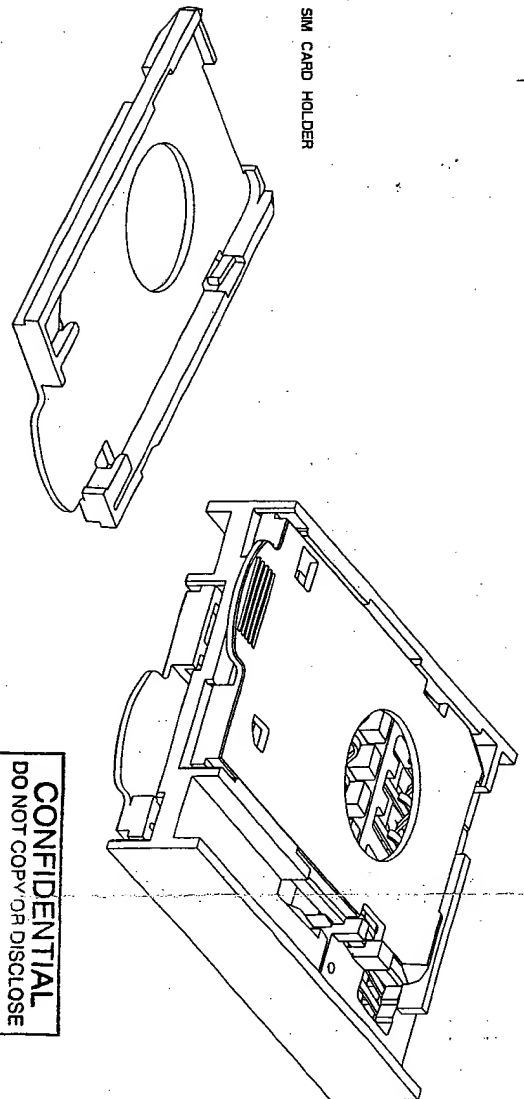
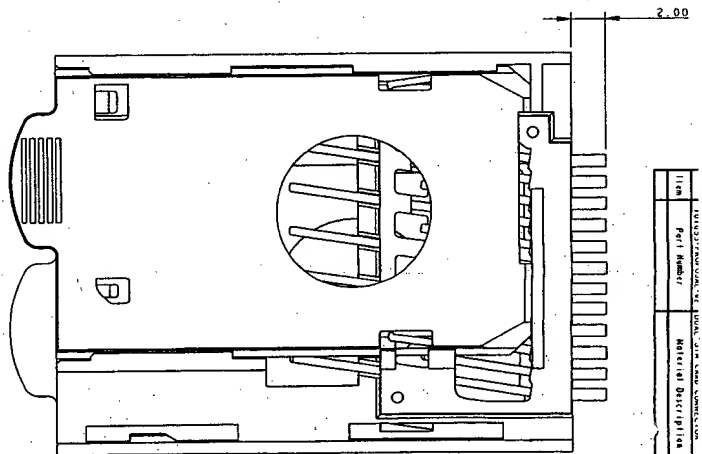
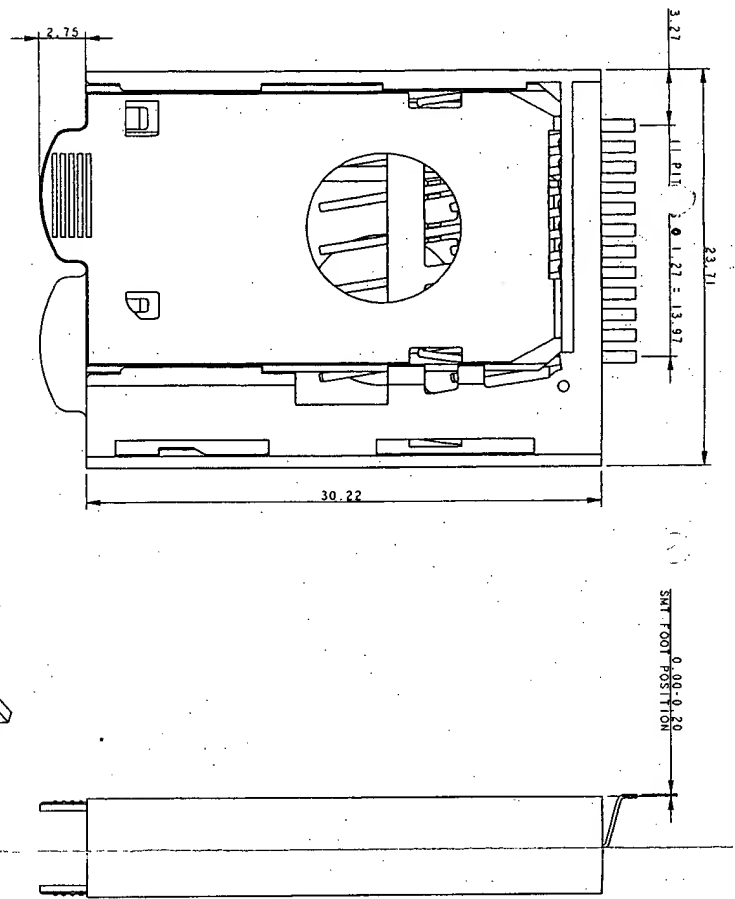
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ELCO

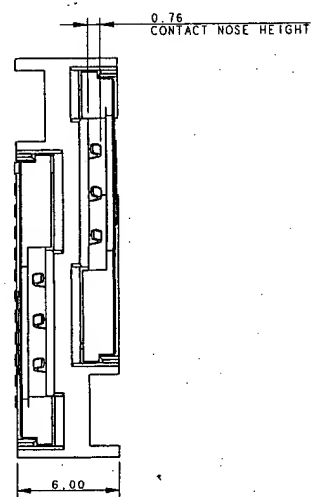
D.E.R.		Description		DATE	
Size	BV	Part Number		Issue	
		DUAL SIM CARD CONNECTOR		A	06-281-08

Item	Part Number	Material Description	EA	Q	A	101055

Item	Part Number	Material Description	Quantity
------	-------------	----------------------	----------



- NOTES:
1. PROPOSAL LAYOUT FOR DUAL SIM CARD CONNECTOR AND CARD HOLDERS.
 2. INSULATOR MATERIAL:- HIGH TEMPERATURE PLASTIC, UL94HB, COLOUR BLACK.
 3. CONTACT MATERIAL:- COPPER ALLOY.
 4. CONTACT PLATING:- NICKEL UNDERPLATE, SELECTIVE GOLD PLATED CONTACT NOSE.
 5. PARTS TO BE PLACED TBA TAILS.
 6. GENERAL TOLERANCE ± 0.20 (UNLESS OTHERWISE STATED).



Release No.
History
100692

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06 JUL 2000

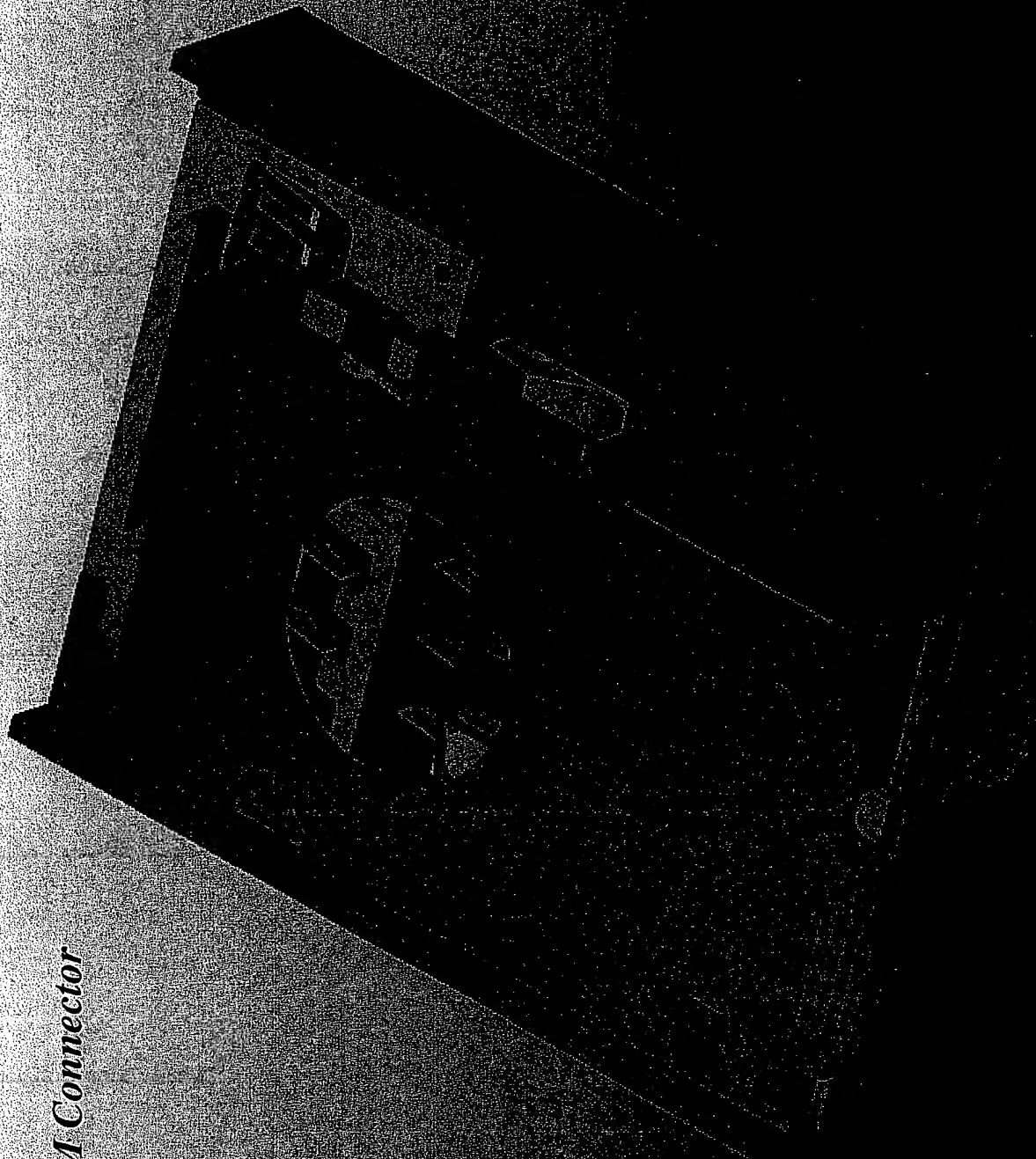
© COPYRIGHT ELCO EUROPE
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1st Angle Projection	ELCO	Part Name	Rev	Rev
Copyright ELCO Europe		DUAL SIM CARD CONNECTOR	1	1
NO UNLAWFUL REPRODUCTION		101035-PH0005AL-02		

Exhibit A

AVAX

Dual SIM Connector



ELCO Connector Products

© Copyright AVAX Ltd

Dual SIM Connector

06/07/00

AVIX

Dual SIM Connector



ELCO Connector Products

© Copyright AVAX Ltd.

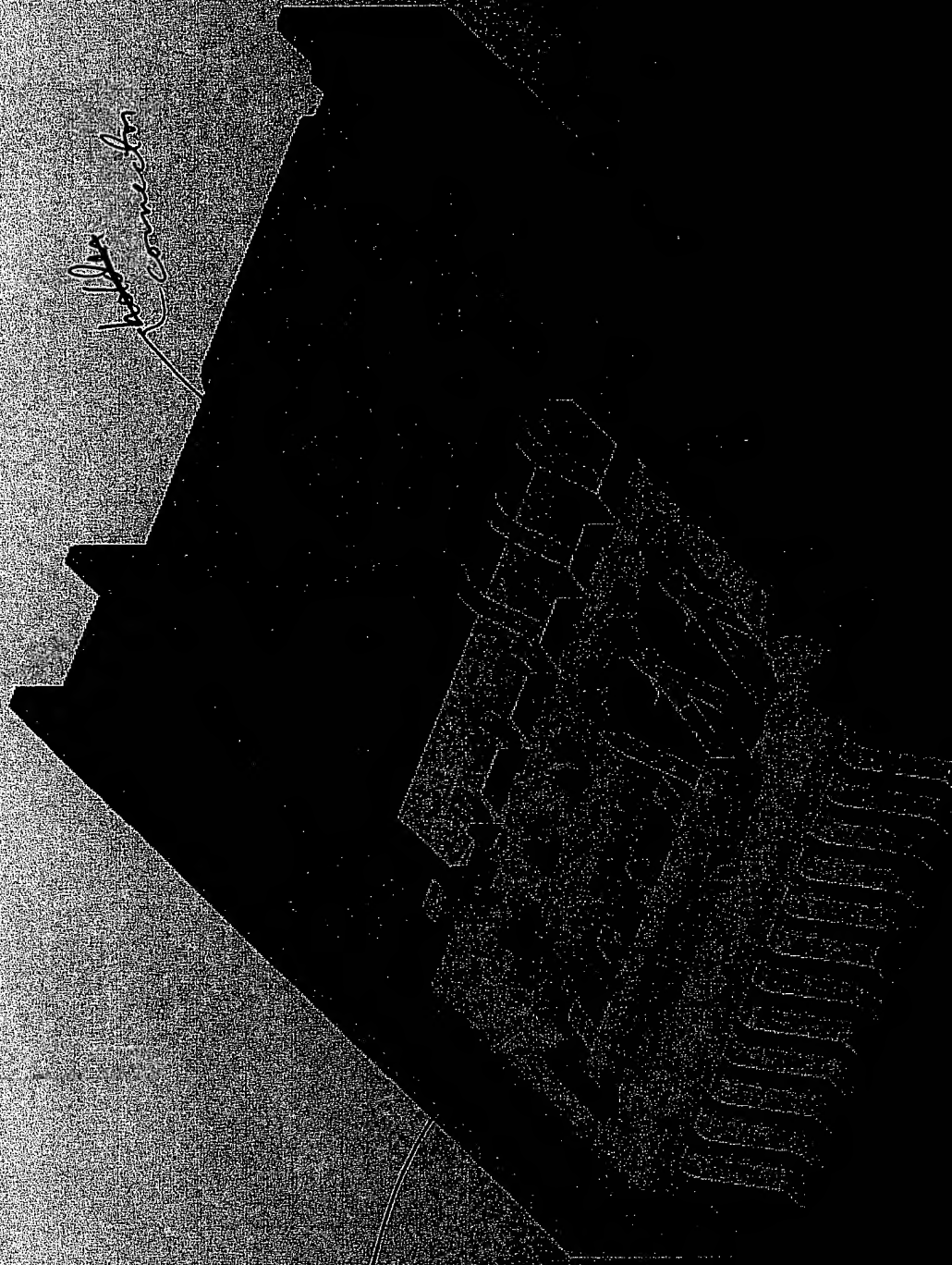
Dual SIM Connector

06/07/00

AVAX

FIGURE 1

Dual SIM Connector



ELCO Connector Products

© Copyright AVX Ltd

Dual SIM Connector

0607700

AVX

Dual SIM Connector Contacts



ELCO Connector Products

© Copyright AVX Ltd

Dual SIM Connector Contacts

06/07/00

Memorandum

From: David Rippington

06 July 2000

Subject: Project 101055 - Dual SIM Card Connector - Patent Design Details

Proposal:-

Dual SIM card connector proposal - double-decker arrangement.

Statement:-

At this date, the engineers at Elco Newmarket are not aware of a dual double-decker SIM card connector.

Relevant drawings:-

101055-PROPOSAL-02	Issue A
101055-CONNECTOR-02	Issue A

Design details:-

- Minimum contact lengths
- Minimum component count
- Existing Elco SIM connector assembly knowledge
- Assembled contact cropping requirements
- Contact coplanarity & inspection requirements
- Minimum PCB footprint

The interleaved contact beams and displaced, opposed SIM card positioning allow the use of a single-part contact frame assembly.

The 1-piece frame assembly contains all 12 contacts for the two SIM cards, which are assembled into the connector in one operation and the joining carrier strip (not shown in these diagrams) is removed in a further single operation.

The contacts are retained in the base insulator by the insert insulator, which is ultrasonically welded into place.

The basic SIM card connector consists of the following components:-

- Base insulator
- Contact frame
- Retaining insert insulator

For the design in the diagrams the SIM cards are held in removable carriers, but other containment and ejection methods are possible.

The PCB contact connections are shown as SMT reflow tails in these diagrams, but pressure contacts are also possible.

Exhibit G

*** TX REPORT ***

TRANSMISSION OK

TX/RX NO	0345
CONNECTION TEL	9p011441926335519
SUBADDRESS	
CONNECTION ID	
ST. TIME	08/01 14:44
USAGE T	00'50
PGS.	3
RESULT	OK

DORITY & MANNING

ATTORNEYS AT LAW, P.A.

PATENTS, TRADEMARKS, COPYRIGHTS, & UNFAIR TRADE PRACTICES

MAILING ADDRESS:

PO Box 1449
Greenville, SC 29602-1449

OFFICES:

700 East North Street, Suite 15
Greenville, SC 29601-3000

TELEPHONE (864) 271-1592

TELECOPIER (864) 233-7342

FACSIMILE TRANSMISSION

DATE: 8/1/00 OUR REF.#: ELX-64

TO: J. Gray

At Telecopier No.: 011 44 1926 3355 19

Number of Pages (Including Cover Sheet) 3

FROM: Seth L. Hudson

MESSAGE:

DORITY & MANNING

ATTORNEYS AT LAW, P.A.

700 EAST NORTH STREET
GREENVILLE, SC 29601 USA

TELEPHONE (864) 271-1592
FACSIMILE (864) 233-7342

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MAILING ADDRESS
P.O. BOX 1449
GREENVILLE, SC 29602 USA

WELLINGTON M. MANNING, JR.
JULIAN W. DORITY
JAMES M. BAGARAZZI
RICHARD M. MOOSE
STEPHEN E. BONDURA
TIMOTHY A. CASSIDY
JEFFREY M. KARMILOVICH
FRANCES BARNES ELLIOTT
J. BENNETT MULLINAX
TIM F. WILLIAMS
JOHN E. VICK, JR.
JASON W. JOHNSTON
CHARLES R. DUCKER, JR.*
NEAL P. PIEROTTI**
BERNARD S. KLOSOWSKI, JR.†
TIMOTHY D. ST. CLAIR

*ALABAMA ONLY
**PATENT AGENT ONLY
†MARYLAND ONLY

August 1, 2000

VIA FACSIMILE

Attn: J. Gray
Withers & Rogers
60 Holly Walk
Leamington SPA
Warwickshire CV32 4JE
England

RE: UK Patent Office Foreign Filing Licenses
Our References: ELX-64

Dear Mr. Gray:

We need your assistance and advice regarding obtaining a UK Patent Filing License for the above invention which will enable us to properly pursue a United States Patent application. We request that you expedite the granting of this license, if possible. We ask that you estimate how much time it is expected to take to obtain such license. Please respond to us by facsimile at your earliest convenience.

Enclosed with this letter is information regarding the referenced invention above and the full name and postal addresses for the inventors. Please let us know what other information, if any, you need to assist us in this matter. I will send color drawings to you by Federal Express.

This invention relates to a dual double-decker SIM card connector. The card connector consists of a base insulator, contact frame, and a retaining insert insulator. This connector has a 1-piece frame assembly which contains all 12 contacts for the two SIM cards. The drawings show the SIM cards held in

Withers & Rogers
Our Reference:ELX-64
August 1, 2000
Page 2

removable carriers, but other containment and ejection methods are possible.

Below are the names and addresses of the inventors:

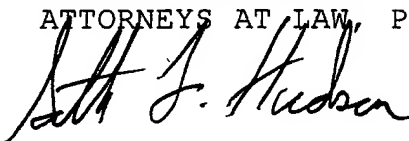
David Rippington
3 Stone Row
Ley Road,
Stetchworth,
Newmarket,
Suffolk.
CB8 9TS
UK.

Peter George Bishop
14 Church Lane
Isleham, Ely
Cambs
CB7 5SQ
UK

Please let me know if you need any other information.
Thanks for your help with regard to these matters.

Kindest personal regards,

DORITY & MANNING,
ATTORNEYS AT LAW, P.A.

A handwritten signature in dark ink, appearing to read "Seth L. Hudson", written in a cursive style.

Seth L. Hudson

WITHERS & ROGERS
EUROPEAN & CHARTERED PATENT ATTORNEYS
TRADE MARK ATTORNEYS

60 Holly Walk, Leamington Spa, Warwickshire CV32 4JE
Tel: +44 (0)1926 336111 Fax: +44 (0)1926 335519
E-Mail: admin@withersrogers.com Web: www.withersrogers.com
DX: 29122 Leamington Spa (1)

Mr. Seth Hudson
Dority & Manning
700 East North Street
P.O. Box 1449
Greenville
South Carolina
29602-1449
United States of America

Our Ref: M701957/JG
Your Ref: ELX-64

3 August 2000
BY FACSIMILE
(CONFIRMATION BY POST)

Original by Fax

Dear Seth

UK Patent Office Foreign Filing Licence - ELX-64

Thank you for your fax of 1st August 2000. I have also today received your letter of 1st August 2000 and the enclosed colour drawings of the invention. To enable me to file the necessary request for a filing licence could you please confirm that the title of the invention is "Dual SIM Connector". Upon receipt of your response I will be able to file the necessary request. As before, I anticipate that I will have the necessary filing licence in around 2 to 3 days.

I look forward to hearing from you.

Best regards.

Yours sincerely



James Gray
WITHERS & ROGERS

RECEIVED
AUG 07 2000
DORITY AND MANNING

Rel 6/2000

C:\Letter

Partners: David Bannerman, Nicholas Wilson, Michael Blatchford, Michael Adkins, Adrian Chettle, Jeff Hogg, John Dean, Ben Dempster, Karl Barnfather, Ivor Harrison, David Pratt, Mark Armitage*, Simon Beck, Colin Jones, Howard Wright, David Croston **Consultant Partner:** Peter Turner
*All partners are C.P.A. & E.P.A. unless indicated**

Associates: Christopher Hey, Nigel Parnell, Andrew Murch, John Jones, David Elsy, David Fry, James Gray, Alex Duffield, Paul Derry, Matthew Allen, Keith Tart, Laurel McBray, Robert Sayer

Practice Manager: Richard Clark, **Accounts:** Mary Sturgess, **Renewals:** David Ayres (Manager), Mary Downey, **Administration:** Susan Savage, **Translations:** Rosemary Booth, **Searching:** Robin Webster, **EP Formalities:** Karen Austen

Also at Goldings House, 2 Hays Lane, London SE1 2HW Tel: +44 (0)20 7663 3500 Fax: +44 (0)20 7663 3550
1 Redcliff Street, Bristol BS1 6NP Tel: +44 (0)117 925 3030 Fax: +44 (0)117 925 3530 and

Exhibit I

WITHERS & ROGERS
EUROPEAN & CHARTERED PATENT ATTORNEYS
TRADE MARK ATTORNEYS

60 Holly Walk, Leamington Spa, Warwickshire CV32 4JE
Tel: +44 (0)1926 336111 Fax: +44 (0)1926 335519
E-Mail: admin@withersrogers.com Web: www.withersrogers.com
DX: 29122 Leamington Spa (1)

Mr. S. Hudson,
Dority & Manning,
Attorney at Law, P.A.,
700 East North Street,
Greenville S.C. 29601-3000,
U.S.A.

Our Ref: JG/SAC/S-127
Your Ref: ELX-64

09 August 2000

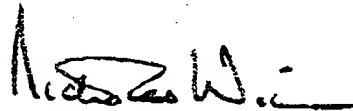
BY FACSIMILE

Dear Seth

UK Patent Office Foreign Filing Licence - ELX-64

I transmit herewith the foreign filing licence received by fax from the Patent Office today. I will forward the original licence once it has been received here.

Yours sincerely



J. Gray
WITHERS & ROGERS

Encs.

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AUG 09 2000
FAX

Ref 6/2000

04-LETTERS/VAJ/01/127-12

Partners: David Bannerman, Nicholas Wilson, Michael Blatchford, Michael Adkins, Adrian Chettle, Jeff Hogg, John Dean, Ben Dempster, Karl Barnfather, Ivor Harrison, David Pratt, Mark Armitage*, Simon Beck, Colin Jones, Howard Wright, David Croston Consultant Partner: Peter Turner
*All partners are C.P.A. & E.P.A. unless indicated**

Associates: Christopher Hey, Nigel Parnell, Andrew Murch, John Jones, David Elsy, David Fry, James Gray, Alex Duffield, Paul Derry, Matthew Allen, Keith Tart, Lauri McBry, Robert Sayer

Practice Manager: Richard Clark, Accounts: Mary Sturges, Renewals: David Ayres (Manager), Mary Downey, Administration: Susan Savage, Translations: Rosemary Booth, Searching: Robin Webster, EP Formalities: Karen Austen

Also at Goldings House, 2 Hays Lane, London SE1 2HW Tel: +44 (0)20 7663 3500 Fax: +44 (0)20 7663 3550
1 Redcliff Street, Bristol BS1 6NP Tel: +44 (0)117 925 3030 Fax: +44 (0)117 925 3530 and
75 Colmore Row, Birmingham B3 2AP Tel: +44(0)121 245 3900 Fax: +44 (0)121 245 3930

Exhibit J

Mr. S. Hudson,
Dority & Manning,
Attorney at Law, P.A.,
700 East North Street,
Greenville S.C. 29601-3000,
U.S.A.

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AUG 17 2000

DORITY AND MANNING

Our Ref: JG/SAC/S-127
Your Ref: ELX-64

09 August 2000

BY FACSIMILE

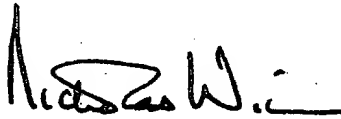
INFORMATION COPY
Original by Fax

Dear Seth

UK Patent Office Foreign Filing Licence - ELX-64

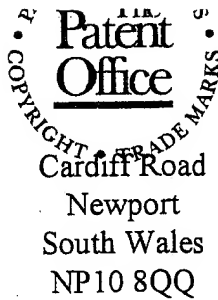
I transmit herewith the foreign filing licence received by fax from the Patent Office today. I will forward the original licence once it has been received here.

Yours sincerely



J. Gray
WITHERS & ROGERS

Encs. - Original Permit and Invoice for your kind attention.



INVESTOR IN PEOPLE

9 August 2000

PERMIT TO FILE ABROAD
Section 23(1), Patents Act 1977

DAVID RIPPINGTON and PETER GEORGE BISHOP

.....

.....

.....

is/are hereby authorised to file or cause to be filed outside the United Kingdom an application
for a patent in respect of an invention called.

DUAL SIM CARD CONNECTOR

.....

.....

and described in the documents submitted to this Office.

R C Squire

pp M G WILSON
for the Comptroller

DP Per 2/77

From: John Vick
To: internet:leachc@elcoeurope.org, internet:rippingt...
Date: 8/14/00 10:22AM
Subject: Patent Information; ELX 64

REQUESTED
MORE
IN FO.

DRAWINGS
ARE
READY
TO GO.

David and Chris:

Thanks for your help on the Dual SIM. The information we discussed will help me in preparing the patent application.

David:

I have from you the colored perspective drawings and the white cross sectional drawings.

Chris:

I need from you the following, which David said you may be able to provide:

- 1) General technical/business info on SIM Cards in general, their use in Europe and the US (if used in the US at all) such as how the products are developing/used/etc.
- 2) Specific marketing and technical literature (also with a drawing or picture; David can provide this?)
on your current AVX single SIM connector product (the SIM Card Reader), so I can compare and contrast all the advantages, and features in comparison to the new invention of the dual connector.
- 3) info on the advertised dual product (adapter?) you saw recently in the news, even though it may have obvious weaknesses or limited usage.

We will give this top priority and get the patent application going as soon as we can get this information.

Also, if you are aware of any prior patents on SIM Card technology, AVX or otherwise, please provide me the patent numbers so I can study them. ✓

Thank you. Please reply that you received this message. Cheers.

john vick

John E. Vick, Jr.
Dority and Manning
700 E. North Street, Suite 15
Greenville, SC 29601
phone (864) 271-1592
fax (864) 233-7342
email jev@dority-manning.com

CC: internet:bishopp@elcoeurope.org

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ATTORNEYS AT LAW, P.A.

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**PO Box 1449
Greenville, SC 29602-1449**

OFFICES:

**700 East North Street, Suite 15
Greenville, SC 29601-3000**

**TELEPHONE (864) 271-1592
TELECOPIER (864) 233-7342**

FACSIMILE TRANSMISSION

DATE: September 22, 2000

RE: ELX-64

TO: Mr. Peter Bishop

At Telecopier No.: 44 163 867 5003

Number of Pages (Including Cover Sheet) 33

FROM: John E. Vick, Jr./Terry Ballew

MESSAGE: See attached draft patent application.

John E. Vick, Jr.

This message is intended only for the use of the addressee and may contain information that is privileged and confidential. If you are not the intended recipient, you are hereby notified that any dissemination of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone. Thank you.

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ATTORNEYS AT LAW, P.A.

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JULIAN W. DORITY
JAMES M. BAGARAZZI
RICHARD M. MOOSE
STEPHEN E. BONDURA
TIMOTHY A. CASSIDY
JEFFREY M. KARMILOVICH
FRANCES BARNES ELLIOTT
J. BENNETT MULLINAX
TIM F. WILLIAMS
JOHN E. VICK, JR.
JASON W. JOHNSTON
CHARLES R. DUCKER, JR.*
NEAL P. PIEROTTI**
BERNARD S. KLOSOWSKI, JR.†
TIMOTHY D. ST. CLAIR

700 EAST NORTH STREET
GREENVILLE, SC 29601 USA

TELEPHONE (864) 271-1592
FACSIMILE (864) 233-7342

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P.O. BOX 1449
GREENVILLE, SC 29602 USA

September 22, 2000

*ALABAMA ONLY
**PATENT AGENT ONLY
†MARYLAND ONLY

VIA FACSIMILE

Mr. Peter Bishop
Mr. David Rippington
Elco Europe
Exning Road, Newmarket
Suffolk, CB8 0AT
ENGLAND

Re.: U.S. Patent Application entitled:
"Electronic Device With Card Reader and Connector Assembly"
Serial No.: Not Yet Known
Filed: Not Yet Filed
Our Ref.: ELX-64

Dear Peter and David:

Enclosed is a draft patent application for the Dual SIM Card Device. Please review the application draft, and review the detailed description of the specification, and drawings. We want to be sure the application is technically accurate, both in the drawings and in the description of the invention.

Once you have review the application and marked your corrections on the draft, please fax the corrected pages to me at our fax number in the U. S. at 864-233-7342 so we may correct the application and prepare it for filing in the United States Patent and Trademark Office.

If you have any questions or concerns, please give me a call. I would also like to discuss with you the other separate issue of the infringement analysis regarding the Motorola patent, and explain to you how this application fits into the overall strategy.

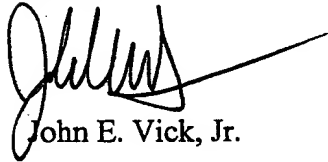
Thank you.

Mr. Peter Bishop
Mr. David Rippington
September 21, 2000
ELX-64
Page 2

Kindest personal regards.

Very truly yours,

DORITY & MANNING, P.A.

A handwritten signature in black ink, appearing to read "John E. Vick, Jr.", with a long horizontal flourish extending to the right.

JEV/tb

Enclosures

ELCO EUROPE

Engineering Department

Exning Road
Newmarket
Suffolk, CB8 0AT
Tel (44) 01638 675000
Fax (44) 01638 675003 (Engineering Fax)

Fax Message

To: John Vick, Dority and Manning

001 864 233 7342

From: David Rippington

Copies: Peter Bishop

2 pages

Subject: Dority & Manning Draft Patent Details

18 October 2000

John

I have review the draft patents listed below with the following comments:-

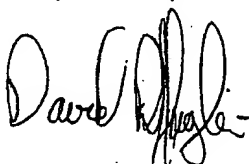
REDACTED - ATTORNEY/CLIENT PRIVILEGE**Dual SIM card - ELX-64**

- call need this*
- Channels 23 / 24 / 123 / 124 are not significant in the design of the connector.
 - The support bracket detailed in Figure 3 - 27 is not a significant part of the device relevant to the patent.
 - Circular hole shown (Figure 3B - 42) is not a contact window - It is for allowing a device such as a pen to push the SIM card out from the holder. The contact pads on the SIM card are on the opposite side of the card from the window.
 - The positioning levers 39 (2off) 47 51 are for retaining the SIM cards only - they have no other purpose and do not themselves orient the card in the holder.

If you have any further questions please contact me.

Best regards

David Rippington



Elco Europe, Exning Road, Newmarket, Suffolk. CB8 0BB.

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Exhibit M

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